

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Nelson et al.

Application No.: 09/656,325

Confirmation No.: 9079

Filed: September 6, 2000

Art Unit: 3641

For: NETWORKED ELECTRONIC ORDNANCE
SYSTEM

Examiner: T. Chambers

**PETITION FOR CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. §1.48 BASED ON
INCLUSION OF ORIGINAL INVENTORS**

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Petition is hereby made to accept the inclusion of the original inventors of this application.

Applicants respectfully request the inclusion of the inventors listed on the consent and assignment attached hereto as Exhibit A and Exhibit B, pursuant to the rejection raised in the Office Action dated October 30, 2007. Applicants include the Declaration by all the inventors as Exhibit C, the Statement of John J. Walsh in support of the correction of inventorship as Exhibit D, and the Consent of the current Assignee, PS/EMC West LLC, to the correction of inventorship as Exhibit E.

The Final Rejection stated that the request to correct inventorship was deficient because it lacked the written consent of any assignee of the original inventors. Exhibit A is

the previously filed consent by Special Devices, Inc., which was the assignee of the original two inventors, Steven D. Nelson and Michael N. Diamond, as evidenced by an assignment executed September 6, 2000. This assignment was not included in the previous filing and is responsive to the rejection questioning whether Special Devices, Inc. is a legitimate assignee of record.

The requirements set forth by 37 CFR 1.48 are believed to be met by this submission.

If Applicants' representative can be of assistance in furthering the prosecution of this case, the Examiner is encouraged to contact the undersigned at any time, at (202) 434-1607.

Please charge EFT Account SEA1PIRM in the amount of \$130.00 for the processing fee set forth in 37 C.F.R. §1.17(h). The Commissioner is hereby authorized to charge any additional fees or credit any overpayments to our Deposit Account No. 50-0665, under Order No. 618728001US from which the undersigned is authorized to draw.

Dated: May 29, 2008

Respectfully submitted,

By /Michael A. Oblon/
Michael A. Oblon
Registration No.: 42,956
PERKINS COIE LLP
607 Fourteenth Street, N.W.
Washington, DC 20005-2011
(202) 628-6600
(202) 434-1690 (Fax)
Attorney for Applicants

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:)	
Steven D. Nelson and Michael N. Diamond)	Group Art Unit: 3641
Serial No.: 09/656,325)	Examiner: Unknown
Filed: September 6, 2000)	
For: Networked Electronic Ordnance)	
System)	
)	
)	
)	
)	
)	

**CONSENT OF ASSIGNEE TO CHANGE IN INVENTORSHIP
and
CERTIFICATE UNDER 37 C.F.R. 3.73(b)**

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Special Devices, Inc., being the owner of record of United States Patent Application
Serial No. 09/656,325 in the names of Steven D. Nelson and Michael N. Diamond, hereby
consents to the addition of John J. Walsh as a named inventor of said application.

CERTIFICATE UNDER 37 C.F.R. 3.73(b)

Special Devices, Inc., a Corporation of California, certifies that it is the assignee of the
entire right, title and interest in the patent application identified above by virtue of an assignment
from the inventors of the application identified above. The assignment was recorded in the
Patent and Trademark Office at Reel/Frame 011066/0938. A copy of the assignment is attached
hereto.

The undersigned (whose title is supplied below) is empowered to act on behalf of the

assignee.

I hereby declare that all statements made herein are of my own knowledge and are true and that all statement made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application of any patent issues thereon.

Dated: April 13, 2001

By: JW Cusanto

Person signing: Tom CUSANTO
Title: PRESIDENT & CEO
Company: Special Devices, Inc.

Patent
254/089ASSIGNMENT OF PATENT APPLICATION

WHEREAS, WE, Steven D. Nelson, a citizen of THE UNITED STATES OF AMERICA, and Michael N. Diamond, a citizen of THE UNITED STATES OF AMERICA (hereinafter referred to as "ASSIGNORS"), have invented and own a certain invention entitled NETWORKED ELECTRONIC ORDNANCE SYSTEM for which application for Letters Patent of the United States of America has been executed on even date herewith; and

WHEREAS, SPECIAL DEVICES, INC., a corporation organized and existing under and by virtue of the laws of the State of California and having its principal place of business at 14370 White Sage Road, Moorpark, California 93021 (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the exclusive right, title and interest in, to and under said invention and in, to and under any Patent or similar legal protection to be obtained therefor in the United States of America, its territorial possessions and in any and all countries foreign thereto.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign, transfer and set over unto the said ASSIGNEE, its successors and assigns, the full and exclusive right, title and interest to said invention and to all Letters Patent or application or similar legal protection, not only in the United States and its territorial possessions, but in all countries foreign thereto to be obtained for said invention by said application, and to any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in the United States or a foreign country for the full term or terms for which the same may be granted, including all priority rights under the International Convention; and ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue

said Letters Patent or any legal equivalent thereof to said ASSIGNEE, its successors and assigns, in accordance with this Assignment.

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Agreement;

ASSIGNORS further covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNORS and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents in the United States or in any foreign country, which may be necessary or desirable to carry out the purposes thereof.

WITNESS my hand at MOORPARK

California, this 04 day of September, 2000.

Steven D. Nelson
Steven D. Nelson

STATE OF CALIFORNIA)
Ventura) ss
COUNTY OF LOS ANGELES (D)

On 9-6-00 before me, CHRISTY DANIELS, personally appeared
Steven D. Nelson

☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me

Patent
254/089

that he/~~she/it~~ executed the same in his/~~her/its~~ authorized capacity(~~ies~~), and that by his/~~her/its~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

WITNESS my hand and official seal.



Christy Daniels, Notary Public
Notary Public in and for said County and State

WITNESS my hand at Menlo Park

California, this 29 day of September, 2000.

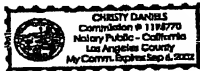
[Signature]
Michael N. Diamond

STATE OF CALIFORNIA)
ventura - CD) as
COUNTY OF LOS ANGELES)

On 9-6-00 before me, Christy Daniels, personally appeared
Michael N. Diamond

☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~is~~ subscribed to the within instrument and acknowledged to me that he/~~she/it~~ executed the same in his/~~her/its~~ authorized capacity(~~ies~~), and that by his/~~her/its~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

WITNESS my hand and official seal.



Christy Daniels, Notary Public
Notary Public in and for said County and State

DECLARATION
Utility Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled Networked Electronic Ordinance System the specification of which

(Check One)



is attached hereto OR
was filed on September 6, 2000 as United States Application Serial No.
09/656,325 or PCT International Application No. _____ and was amended
on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 385(b) of any foreign application(s) for patent or inventor's certificate, or § 385(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Date of Filing	Priority Claimed	
			Yes	No

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

U.S. Parent Application Number	PCT Parent Number	Parent Filing Date	Status-Patented, Pending or Abandoned

Exhibit C

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

201	FULL NAME OF INVENTOR	FIRST Name Steven	MIDDLE Initial D.	LAST Name Nelson	
	RESIDENCE & CITIZENSHIP	City Redondo Beach	State or Foreign Country California		Country of Citizenship U.S.A.
	POST OFFICE ADDRESS	1310 Esplanade #212		City Redondo Beach	State or Country CA Zip Code 90277
INVENTOR'S SIGNATURE				DATE 4/11/01	

202	FULL NAME OF INVENTOR	FIRST Name Michael	MIDDLE Initial N.	LAST Name Diamond	
	RESIDENCE & CITIZENSHIP	City Thousand Oaks	State or Foreign Country California		Country of Citizenship U.S.A.
	POST OFFICE ADDRESS	3031 Marigold Place		City Thousand Oaks	State or Country CA Zip Code 91380
INVENTOR'S SIGNATURE				DATE 4-11-01	

203	FULL NAME OF INVENTOR	FIRST Name John	MIDDLE Initial J.	LAST Name Walsh	
	RESIDENCE & CITIZENSHIP	City Oak Park	State or Foreign Country California		Country of Citizenship U.S.A.
	POST OFFICE ADDRESS	5480 East Bromley Dr.		City Oak Park	State or Country CA Zip Code 91377
INVENTOR'S SIGNATURE				DATE	

204	FULL NAME OF INVENTOR	FIRST Name	MIDDLE Initial	LAST Name	
	RESIDENCE & CITIZENSHIP	City	State or Foreign Country		Country of Citizenship
	POST OFFICE ADDRESS		City	State or Country	Zip Code
INVENTOR'S SIGNATURE				DATE	

205	FULL NAME OF INVENTOR	FIRST Name	MIDDLE Initial	LAST Name	
	RESIDENCE & CITIZENSHIP	City	State or Foreign Country		Country of Citizenship
	POST OFFICE ADDRESS		City	State or Country	Zip Code
INVENTOR'S SIGNATURE				DATE	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:)	
Steven D. Nelson and Michael N. Diamond)	Group Art Unit: 3641
Serial No.: 09/656,325)	Examiner: Unknown
Filed: September 6, 2000)	
For: Networked Electronic Ordnance System)	
)	
)	
)	
)	
)	

STATEMENT OF JOHN J. WALSH IN
SUPPORT OF AMENDMENT FOR CORRECTION OF INVENTORSHIP

I, John J. Walsh, declare as follows:

1. My full name and residence are set forth below.
2. At the time of the invention, I was employed by Special Devices, Inc. in Moorpark, California.
3. I have reviewed the pending 09/656,325 application containing claims 1-30, and I confirm that I am an inventor of this application as to at least one of these claims 1-30.
4. Any failure to include myself (John J. Walsh) as an inventor in the pending 09/656,325 application was inadvertent; the error occurred without deceptive intent on my part.

Exhibit D

5. I do hereby declare under penalty of perjury that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code.

Executed this 13 day of April, 2001, at Moorpark, California.


John J. Walsh

14370 White Sage Road
Moorpark, CA 93021

Docket No.: 618728001US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Steven D. Nelson et al.

Confirmation No. 9079

Application No.: 09/656,325

Art Unit: 3641

Filed: September 6, 2000

Examiner: Troy Chambers

For: NETWORKED ELECTRONIC ORDNANCE
SYSTEM

**CONSENT OF ASSIGNEE TO CHANGE IN INVENTORSHIP AND
CERTIFICATE UNDER 37 C.F.R. 3.73(B)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

PS/EMC West LLC, being the owner of record of U.S. Patent Application Serial No. 09/656,325 in the names of Steven D. Nelson and Michael N. Diamond, hereby consents to the addition to John J. Walsh as a named inventor of the application.

CERTIFICATE UNDER 3.73(B)

PS/EMC West LLC certifies that it is the assignee of the patent application identified above. The assignment was recorded in the Patent & Trademark Office at Reel/Frame 012025/0714, and a copy of the assignment is attached hereto.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein are of my own knowledge and are true or are believed to be true.

Date: 8/27/02

By: 

Steven D. Nelson
Vice President, Business Development
PS/EMC West LLC

Exhibit E

08-06-2001



101800163

Hon. Commissioner of Patents
and Trademarks
Box Assignments
Washington, D.C. 20231

Please record the attached original documents or copy thereof.

1. Name and address of conveying party(ies):

SPECIAL DEVICES, INC.
14370 White Sage Road
Moorpark, California 93021

07/31/01

2. Name and address of receiving party(ies):

PS/EMC WEST, LLC
7073 W. Willis Drive, Box 5002
Chandler, Arizona 85226-5111

Additional name(s) of conveying party(ies) attached?

☐ Yes ☒ No

Additional name(s) & address(es) attached?

☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: July 18, 2001

4. Application/Patent numbers:

A. Application No.(s)
09/656,325

B. Patent No.(s)
4,592,281 & 5,279,226

5. Name and address of party to whom correspondence concerning document should be mailed:

William C. Cahill
CAHILL, SUTTON & THOMAS P.L.C.
155 Park One
2141 E. Highland Avenue
Phoenix, Arizona 85016

(602)956-7000

Our Docket No: 0294-A

6. Total number of applications and patents involved:

3

7. Total Recordation Fee (37 CFR 3.41) \$120.00

☒ Enclosed
☐ Authorized to be charged to deposit account

8. Deposit account number for charging any deficiencies or crediting any overpayments:

03-0088

08/03/2001 UNRECORDED 00000156 09656325

01 FC/541

120.00 00

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

William C. Cahill
Name of Person Signing

Signature

Date: July 24, 2001

Total number of pages including cover sheet, attachments, and document: 3

PATENT
REEL: 012025 FRAME: 0713

ASSIGNMENT

This Assignment is made and executed this 19th day of JULY, 2001, by and

between:

SPECIAL DEVICES, INC.)	
a Delaware Corporation having)	Hereinafter referred
its principal place of business at)	to as "ASSIGNOR"
14370 White Sage Road)	
Moorpark, California 93021)	
)	

and

PS/EMC WEST, LLC)	
a company organized under the)	
laws of the State of Delaware having)	Hereinafter referred
its principal place of business at)	to as "ASSIGNEE"
7073 W. Willis Drive, Box 5002)	
Chandler, Arizona 85226-5111)	
)	

WITNESSETH:

WHEREAS, ASSIGNOR is the owner of all right, title and interest in and to the following U.S. Patents and application for patent as follows:

4,592,281	June 3, 1986	ARMING AND FIRING DEVICE
5,279,226	January 18, 1994	SAFE-ARM INITIATOR
09/656,325	September 6, 2000	NETWORKED ELECTRONIC ORDINANCE SYSTEM

hereinafter referred to as "PATENT RIGHTS";

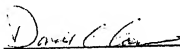
WHEREAS, ASSIGNOR desires to assign all right, title and interest in and to the above identified PATENT RIGHTS to ASSIGNEE;

NOW, THEREFORE, in consideration of Ten Dollars (\$10.00) and other valuable consideration, the receipt of which is hereby acknowledged:

1. ASSIGNOR does hereby sell and assign to ASSIGNEE, its successors and assigns, the entire right, title and interest in and to the invention described and claimed in the above identified PATENT RIGHTS, including: (a) any and all domestic and foreign patents and applications therefor based upon said invention; (b) any and all divisions, reissues, continuations, continuations-in-part, and extensions based upon the above-identified patents and applications therefor; and (c) any and all rights of priority resulting from the filing of any of the above-identified patent applications in the United States or any foreign country.


2. ASSIGNOR hereby authorizes and requests any official whose duty it is to issue patents to issue any patent or any reissued patent which may be based upon the invention described and claimed in the above-identified PATENT RIGHTS to ASSIGNEE or its successors or assigns.

3. ASSIGNOR hereby agrees upon request and without further consideration, but at the expense of ASSIGNEE: (a) to communicate to ASSIGNEE, or its representatives or nominees, any facts known to ASSIGNOR relating to the above-identified PATENT RIGHTS; (b) to testify in any legal proceeding relating to the above-identified PATENT RIGHTS; (c) to sign and execute all lawful papers and to make all lawful oaths relating to the above-identified PATENT RIGHTS, including documents relating to divisional, continuing, reissue and foreign applications; and (d) to perform all acts reasonably necessary to aid ASSIGNEE, its successors, assigns and nominees in obtaining and enforcing patent protection in the United States and foreign countries covering those invention described and claimed in the above-identified PATENT RIGHTS.


Don Campion, Chief Financial Officer

STATE OF CALIFORNIA)
) ss.
County of Ventura)

On this the 18th day of JULY, 2001, before me the undersigned, personally appeared Don Champion, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the foregoing instrument for the purposes therein contained.


Notary Public

My commission expires:

9-6-2002

